

Message

From: Mutter, Andrew [mutter.andrew@epa.gov]
Sent: 12/31/2020 6:04:34 PM
To: Smidinger, Betsy [Smidinger.Betsy@epa.gov]
Subject: RE: Ex. 5 Personal Privacy (PP) Performance

Thx Betsy. I totally agree with your note back to Steve.

Best regards,

Andrew

Andrew Mutter

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From: Smidinger, Betsy <Smidinger.Betsy@epa.gov>
Sent: Thursday, December 31, 2020 10:50 AM
To: Mutter, Andrew <mutter.andrew@epa.gov>
Subject: FW: Ex. 5 Personal Privacy (PP) Performance

FYI

From: Wharton, Steve <Wharton.Steve@epa.gov>
Sent: Thursday, December 31, 2020 10:29 AM
To: Smidinger, Betsy <Smidinger.Betsy@epa.gov>
Cc: Wardell, Christopher <Wardell.Christopher@epa.gov>; Urdiales, Aaron <Urdiales.Aaron@epa.gov>
Subject: FW: Ex. 5 Personal Privacy (PP) Performance

Hi Betsy

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Once we're all back at work next week, I'd like to work with Chris to draft a response for your review.

Thanks,
Steve

Steve Wharton, Section Chief
Superfund Remedial Branch
EPA Region 8, Denver, CO
Desk: 303-312-6935
Cell: 303-264-8038
wharton.steve@epa.gov

From: Bridget Walsh <[REDACTED] Ex. 6 Personal Privacy (PP)>
Sent: Thursday, December 31, 2020 9:14 AM
To: Smidinger, Betsy <Smidinger.Betsy@epa.gov>
Cc: Wharton, Steve <Wharton.Steve@epa.gov>
Subject: [REDACTED] Ex. 6 Personal Privacy (PP) Performance

Dear Betsy,

I am not sure when you joined EPA but maybe better times are ahead for you and for the community:

<https://www.nbcnews.com/news/us-news/biden-will-inherit-hundreds-toxic-waste-superfund-sites-climate-threats-n1252276>

In a batch of recent FOIA requests to EPA we found the attached.
(See below)

I would like to say that the [REDACTED] Ex. 6 Personal Privacy (PP) members have also had problems with [REDACTED] Ex. 6 Personal Privacy (PP) storing public documents on his private, password protected One Drive.

[REDACTED] Ex. 6 Personal Privacy (PP) was asked to post documents that the CAG needs to fulfill their mandate, on a public server, easily accessible to all, but that request was ignored as have been so many others.

On the rare occasion that [REDACTED] Ex. 6 Personal Privacy (PP) sends CAG members requested documents, they are often in inaccessible formats. These minor irritations pale in comparison to other difficulties with [REDACTED] Ex. 6 Personal Privacy (PP) performance as the face of the EPA in the community.
A few examples:

• **Ex. 6 Personal Privacy (PP)** and **Ex. 6 Personal Privacy (PP)** have not attended regularly scheduled CAG meetings for about a year. Instead they send the CAG written quarterly updates that are inaccurate and uninformative. The CAG members have no opportunity to engage with EPA. When Mr. **Ex. 6 Personal Privacy (PP)** did attend, they often presented as sulking, hostile participants.

• We have found that repeated EPA absence from CAG meetings is highly unusual and that EPA regularly attends all other CAG meetings in Colorado.

Does this leave EPA Region 8 open to claims of institutional racism as we are an EJ community with a majority of low income, minority residents?

• It is well known and documented that Site residents suffer many disabling health conditions and early deaths from conditions that are endemic to this community and others in or near Superfund Sites.

Three of our community CAG members and their families suffer from a sad litany of these illnesses and they want answers and relief.

Others are very worried about what will happen to their families from exposure to the toxins in their environment.

Science and public health experts have pointed to solutions. The CAG needs active EPA engagement.

• The CAG has been waiting since 2019 to receive a copy of the long promised draft of the latest Community Involvement Plan (CIP). According to EPA CAG Guidelines, the CAG is supposed to advise EPA on draft documents as they are developed. Perhaps **Ex. 6 Personal Privacy (PP)** is struggling with this project as well as others mentioned in the attached emails?

• Another example, [Ex. 6 Personal Privacy (PP)] seems unable to coherently discuss the deficiencies found in the [Ex. 6 Personal Privacy (PP)] regarding Institutional Controls, concerning the notice that is supposed to go to *prospective* buyers of properties in OU1 that have not been tested or tested and not remediated. Title companies are, according to the report, not able to pick up the IC due to the way they were recorded. EPA gave itself until 9/2021 to get a fix [Ex. 6 Personal Privacy (PP)] seems unaware that there is a problem.

These are just a few of many examples of [Ex. 6 Personal Privacy (PP)] failure to perform the job that the community expects from the EPA.

In my opinion, the [Ex. 6 Personal Privacy (PP)] and EPA have both suffered unnecessary damage from [Ex. 6 Personal Privacy (PP)] participation in our CAG. He has been hostile, abusive, unresponsive, and incompetent.

From the tone of many other emails we received in the FOIA request, it seems that [Ex. 6 Personal Privacy (PP)] and [Ex. 6 Personal Privacy (PP)] so may have "poisoned the well" for this CAG at the EPA and perhaps may have recruited others in their unexplainable efforts to disband our hard working, legitimate CAG that has been meeting monthly since March, 2017 and before.

It is my personal observation that [Ex. 6 Personal Privacy (PP)] is unfit and ill equipped to deal with the public and to represent the EPA in the community. He is the embodiment of the Trump EPA culture.

I believe that CAG members would like to see a change in the staff assigned to the [Ex. 6 Personal Privacy (PP)] Site. It seems that other EPA staff members may have also adopted his rather bewildering approach to public relations on behalf of the EPA.

We are reaching out to the Biden transition team and to national and local politicians and others who have demonstrated a

commitment to environmental justice, science and increased funding for a more competent, honest EPA.

CAG members have indicated that they are interested in meeting with EPA after the administration change in DC. We are all looking forward to a brighter future.

You are always welcome to join our monthly public meeting . January 19, we are having a speaker and a program on environmental justice and in February the Endocrine Society will present a program on the health impacts of endocrine disruptors such as lead, arsenic and cadmium found in the Site, on the unborn, children and adults.

We will also be hearing from our CAG technical experts and community members on work underway at OU2 and OU3.

It would be helpful if EPA would send informed, competent representatives with communication skills to these virtual meetings.

Cheers,
Bridget Walsh
CAG Member
Resident of North Park Hill

Warmest regards,

"Bridget" Eileen Walsh, Real Estate Broker

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